

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CHRISTY YAMANAKA

CASE NO. 8:10 CR 184 + 27 TBM
18 U.S.C. § 1344
18 U.S.C. § 982 (Forfeiture)

INFORMATION

The United States Attorney charges:

COUNT ONE

A. Introduction

At all times material to this Information:

1. Wells Fargo Bank, N.A., was a financial institution located in Riverside, California.
2. Wells Fargo Bank, N.A., was federally insured by the Federal Deposit Insurance Corporation.

B. Scheme and Artifice

From in or about 2004, and continuing to in or about 2005, at Tampa, in the Middle District of Florida, and elsewhere,

CHRISTY YAMANAKA,

the defendant herein, did knowingly and willfully devise and attempt to devise a scheme and artifice to obtain monies, funds, credits and assets owned by and under the custody and control of Wells Fargo Bank, N.A., a federal institution, by means of materially false and fraudulent pretenses, representations and promises.

C. Manner and Means

The manner and means by which the scheme and artifice was carried out are as follows:

1. It was part of the scheme and artifice that CHRISTY YAMANAKA requested a co-schemer to purchase a residence located at 91-1007 Noholike Street, Ewa Beach, Hawaii 96706.
2. It was further part of the scheme and artifice that the co-schemer agreed to purchase the Hawaii residence in his name even though the funds for the purchase of the property would and did come from CHRISTY YAMANAKA.
3. It was further part of the scheme and artifice that the co-schemer would and did falsely complete the Uniform Residential Loan Application by answering "No" to the following question, "Is any part of the down payment borrowed?"
4. It was further part of the scheme and artifice that the co-schemer would and did fraudulently obtain a mortgage for the Hawaii residence, in order to enable CHRISTY YAMANAKA to defraud creditors to whom she owed money.

D. Execution

On or about November 22, 2004, at Tampa, in the Middle District of Florida, CHRISTY YAMANAKA, the defendant herein, executed and caused to be executed the aforesaid scheme and artifice to defraud and to obtain monies, funds, credits and property owned by and under the custody and control of a federally insured financial institution, by means of materially false and fraudulent pretenses, representations and promises by causing a \$37,000 wire transfer from a Bank of America account, located in Tampa, Florida, held

by defendant CHRISTY YAMANAKA and another jointly, to an account at Bank of Hawaii, located in Hawaii.

All in violation of Title 18, United States Code, Sections 1344 and 2.

FORFEITURE

1. The allegations contained in Count One are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 982.

2. The defendant, CHRISTY YAMANAKA, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all right, title, and interest she may have in any property constituting, or derived from, proceeds she obtained directly or indirectly, as a result of her violation of Title 18, United States Code, Section 1344. The assets to be forfeited specially include the following:

The sum of \$222,362.00 in United States currency, representing the amount of proceeds obtained as a result of the offense for which the defendant is pleading guilty.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p) as incorporated by Title 18, United States Code, Section 982(b)(1).

A. BRIAN ALBRITTON
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